

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION 33

FIRST STUDENT, INC.
Employer

and

Case 33-RC-5112

CHAUFFEURS, TEAMSTERS, AND HELPERS
LOCAL UNION NO. 26
Petitioner

**REGIONAL DIRECTOR'S REPORT ON OBJECTIONS,
ORDER APPROVING STIPULATION, AND ORDER DIRECTING RERUN ELECTION**

Pursuant to a petition filed on January 30, 2009,¹ and a Stipulated Election Agreement approved by the Regional Director on February 9, an election was conducted on March 5, among employees of the Employer in the following-described appropriate collective bargaining unit:

All full-time and regular part-time drivers, bus monitors, and mechanics employed by the Employer at its Urbana, Illinois, facility; EXCLUDING office clerical employees, sales persons, dispatchers, location safety coordinator, operations coordinator, tech-in-charge, shop supervisor, shop manager, professional employees, guards and supervisors as defined in the Act.

The Tally of Ballots made available to the parties at the conclusion of the election shows the following results:

Approximate number of eligible voters	59
Void ballots	0
Votes cast for Petitioner	25
Votes cast against participating labor organization	30
Valid votes counted	55
Challenged ballots	1
Valid votes counted plus challenged ballots	56

Challenges are not sufficient in number to affect the results of the election.

A majority of the valid votes counted has not been cast for Petitioner.

Timely objections to conduct affecting the results of the election were filed by the Petitioner on March 9.²

¹ All dates are 2009 unless otherwise noted.

² A copy of the Petitioner's objections is attached as Exhibit 1.

On March 24, 2009, the Petitioner and the Employer, by their respective representatives, entered into a Stipulation³ agreeing that the Regional Director, without making findings of fact or conclusions of law, and without recommending to the National Labor Relations Board, may set aside the election conducted on March 5, and may conduct a rerun election on April 16, 2009, during the hours of 9:30a.m. to 11:30a.m. AND 12:30p.m. to 2:00 p.m., in the Shop Area at the Employer's 812 S. Glover, Urbana, Illinois facility.

In the Stipulation, the parties also waived their right to a decision by the National Labor Relations Board or to a hearing with respect to the objections to conduct affecting the results of the election, and to file exceptions to the Regional Director's Report on Objections in Case 33-RC-5112.

ORDER

IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that the election conducted on March 5, 2009, is set aside and a rerun election will be conducted in accordance with the following arrangements:

Payroll Period for Eligibility- the period ending March 21, 2009

Date, Time and Place of Election – Thursday April 16, 2009 9:30 a.m. to 11:30 a.m. AND 12:30 p.m. to 2:00 p.m. in the Shop Area at the Employer's 812 S. Glover, Urbana, Illinois facility.

March 24, 2009

/s/ Ralph R. Tremain
Ralph R. Tremain, Regional Director
National Labor Relations Board
Subregion Thirty-Three
300 Hamilton Square, Suite 200
Peoria, Illinois 61602-1248

³ A copy of the Stipulation is attached as Exhibit 2.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SUBREGION THIRTY-THREE

FIRST STUDENT, INC.
Employer

and

Case 33-RC-5112

CHAUFFEURS, TEAMSTERS AND HELPERS
LOCAL UNION NO. 26
Petitioner

STIPULATION

1. IT IS HEREBY STIPULATED AND AGREED by and between First Student, Inc. (herein called Employer) and International Brotherhood of Teamsters Chauffeurs and Helpers Local Union No. 26 (herein called Petitioner) that:

2. Pursuant to a Petition filed on January 30, 2009, and a Stipulated Election Agreement approved by the Regional Director on February 9, 2009, there was an election conducted on March 5, 2009, among employees of the Employer in the following appropriate collective bargaining unit:

All full-time and regular part-time drivers, bus monitors, and mechanics employed by the Employer at its Urbana, Illinois, facility; EXCLUDING office clerical employees, sales persons, dispatchers, location safety coordinator, operations coordinator, tech-in-charge, shop supervisor, shop manager, professional employees, guards and supervisors as defined in the Act.

3. The Tally of Ballots made available to the parties at the conclusion of the election discloses the following results:

Approximate number of eligible voters	59
Void ballots	0
Votes cast for Petitioner	25
Votes cast against participating labor organization	30
Valid votes counted.....	55
Challenged ballots.....	1
Valid votes counted plus challenged ballots.....	56

Challenges are not sufficient in number to affect the results of the election.

A majority of the valid votes counted has not been cast for Petitioner.

4. Timely objections to conduct affecting the results of the election were filed by the Petitioner on March 9, 2009.

5. IT IS HEREBY STIPULATED that the Regional Director, without making findings of fact or conclusions of law, and without recommending to the National Labor Relations Board, may set aside the election conducted on March 5, 2009, and may conduct a rerun election on April 16, 2009, during the hours of 9:30a.m. to 11:30 a.m. AND 12:30p.m. to 2:00p.m. in the Shop Area located at the Employer's 812 S. Glover, Urbana, Illinois facility.

6. The parties hereby waive their right to a decision by the National Labor Relations Board or to a hearing with respect to the objections to conduct affecting the results of the election, and to file exceptions to the Regional Director's Report on Objections in Case 33-RC-5112.

FIRST STUDENT, INC.

CHAUFFEURS, TEAMSTERS AND
HELPERS LOCAL UNION NO. 26

/s/ Tom Secrest 3/23/09
Signature Date

/s/ Tim Donovan 3/23/09
Signature Date

Date Approved: 3/24/09

By /s/ Ralph R. Tremain
Ralph R. Tremain, Regional Director
National Labor Relations Board
Subregion 33
300 Hamilton Blvd., Ste 200
Peoria, Illinois 61602-1246